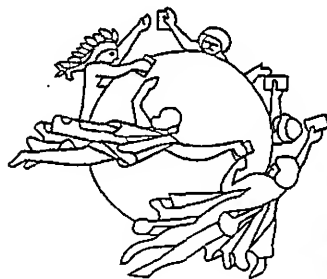


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## Universal Postal Union

### Attestation

The English Translation Service operating in connection with the International Bureau of the Universal Postal Union hereby certifies that the English translation of the Sixth Additional Protocol to the Constitution of the Universal Postal Union, the General Regulations of the Universal Postal Union (Beijing 1999), and the Constitution of the Universal Postal Union is an accurate rendering of the French original which is deemed the authentic text.

*J. Gauthier*  
Head, English Translation Service

## Sixth Additional Protocol to the Constitution of the Universal Postal Union

## General Regulations of the Universal Postal Union

## Declarations made on signature of the Acts

## Constitution of the Universal Postal Union

## Rules of Procedure of Congresses

# Sixth Additional Protocol to the Constitution of the Universal Postal Union

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## Sixth Additional Protocol to the Constitution of the Universal Postal Union

The plenipotentiaries of the Governments of the member countries of the Universal Postal Union, met in Congress at Beijing, in view of article 30, paragraph 2, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have adopted, subject to ratification, the following amendments to that Constitution.

### Article I (Article 22 amended) Acts of the Union

- 1----- The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union.
- 2        The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries.
- 3        The Universal Postal Convention, **the Letter Post Regulations and the Parcel Post Regulations** shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post **and postal parcels** services. These Acts shall be binding on all member countries.
- 4        The Agreements of the Union, and **their Regulations**, shall regulate the services other than those of the letter post **and postal parcels** between those member countries which are parties to them. They shall be binding on those countries only.
- 5        **The Regulations**, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.
- 6        The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

### Article II (Article 25 amended) Signature, authentication, ratification and other forms of approval of the Acts of the Union

- 1        The Acts of the Union arising from the Congress shall be signed by the plenipotentiaries of the member countries.
- 2        **The Regulations** shall be authenticated by the Chairman and the Secretary-General of the Postal Operations Council.

3 The Constitution shall be ratified as soon as possible by the signatory countries.

4 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.

5 When a country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other countries that have ratified or approved them.

#### Article III

(Article 29 amended)

##### Presentation of proposals

1 The postal administration of a member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which its country is a party.

2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

3 Moreover, proposals concerning the Regulations shall be submitted direct to the Postal Operations Council but must first be transmitted by the International Bureau to the postal administrations of all member countries.

#### Article IV

##### Accession to the Additional Protocol and to the other Acts of the Union

1 Member countries which have not signed the present Protocol may accede to it at any time.

2 Member countries which are party to the Acts renewed by Congress but which have not signed them shall accede thereto as soon as possible.

3 Instruments of accession relating to the cases set forth in paragraphs 1 and 2 shall be sent to the Director-General of the International Bureau, who shall notify the Governments of the member countries of their deposit.

#### Article V

##### Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

This Additional Protocol shall come into force on **1 January 2001** and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the Governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and they have signed it in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the Government of the country in which Congress is held.

Done at **Beijing, 15 September 1999.**

# General Regulations of the Universal Postal Union

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# General Regulations of the Universal Postal Union

The undersigned plenipotentiaries of the Governments of member countries of the Union, having regard to article 22, paragraph 2, of the Constitution of the Universal Postal Union, concluded at Vienna on 10 July 1964, have, by common consent, and subject to article 25, paragraph 4, of the Constitution, drawn up in these General Regulations the following provisions securing the application of the Constitution and the functioning of the Union.

## Chapter I

### Functioning of the Union's bodies

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#### Article 101

##### Organization and convening of Congresses and Extraordinary Congresses

- 1 The representatives of member countries shall meet in Congress not later than five years after the date on which the Acts of the preceding Congress come into operation.
- 2 Each member country shall arrange for its representation at Congress by one or more plenipotentiaries furnished by their Government with the necessary powers. It may, if need be, arrange to be represented by the delegation of another member country. Nevertheless it shall be understood that a delegation may represent only one member country other than its own.
- 3 In debates, each country shall be entitled to one vote, **subject to the sanctions provided for in article 126.**
- 4 In principle, each Congress shall designate the country in which the next Congress will be held. If that designation proves inapplicable, the Council of Administration shall be authorized to designate the country where Congress is to meet, after consultation with the latter country.
- 5 After consultation with the International Bureau, the host Government shall fix the definitive date and the precise locality of Congress. In principle one year before that date the host Government shall send an invitation to the Government of each member country of the Union. This invitation may be sent direct or through the intermediary of another Government or through the Director-General of the International **Bureau.**
- 6 When a Congress has to be convened without a host Government, the International Bureau, with the agreement of the Council of Administration and after consultation with the Government of the Swiss Confederation, shall take the necessary steps to convene and organize the Congress in the country in which the seat of the Union is situated. In this event the International Bureau shall perform the functions of the host Government.

7 The meeting place of an Extraordinary Congress shall be fixed, after consultation with the International Bureau, by the member countries which have initiated that Congress.

8 Paragraphs 2 to 6 shall be applicable by analogy to Extraordinary Congresses.

#### Article 102

##### Composition, functioning and meetings of the Council of Administration

1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.

2 The chairmanship shall devolve by right on the host country of Congress. If that country waives this right, it shall become a de jure member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the member countries belonging to the geographical group of the host country.

3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership shall be renewed at each Congress; no member may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its representative, who shall be competent in postal matters.

5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.

6 The Council of Administration shall have the following functions:

- 6.1 to supervise the activities of the Union between Congresses, ensuring compliance with the decisions of Congress, studying questions with respect to governmental policies on postal issues, and taking account of international regulatory developments such as those relating to trade in services and to competition;
- 6.2 to consider and approve, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
- 6.3 to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;
- 6.4 to consider and approve the annual budget and accounts of the Union;
- 6.5 to authorize the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article 125, paragraphs 3, 4 and 5;
- 6.6 to lay down the Financial Regulations of the UPU;
- 6.7 to lay down the rules governing the Reserve Fund;
- 6.8 to lay down the rules governing the Special Fund;
- 6.9 to lay down the rules governing the Special Activities Fund;
- 6.10 to lay down the rules governing the Voluntary Fund;
- 6.11 to provide control over the activities of the International Bureau;
- 6.12 to authorize election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article 127, paragraph 6;



- 6.13 to authorize a change of geographical group if it is so requested, taking into account the views expressed by the countries which are members of the geographical groups concerned;
- 6.14 to lay down the Staff Regulations and the conditions of service of the elected officials;
- 6.15 to create or abolish International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed;
- 6.16 to lay down the Regulations of the Social Fund;
- 6.17 to approve the annual report **and the Financial Operating Report** on the work of the Union prepared by the International Bureau and where appropriate to furnish observations on **them**;
- 6.18 to decide on the contacts to be established with postal administrations in order to carry out its functions;
- 6.19 after consulting the Postal Operations Council, to decide on the contacts to be established with the organizations which are not de jure observers, to consider and approve the reports by the International Bureau on UPU relations with other international bodies and to take the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them; to designate in due course the intergovernmental and non-governmental international organizations which should be invited to be represented at a Congress and to instruct the Director-General to issue the necessary invitations;
- 6.20 to establish principles, as may be considered necessary, for the Postal Operations Council to take into account in its study of questions with major financial repercussions (charges, terminal dues, transit charges, basic airmail conveyance rates and the posting abroad of letter-post items), to follow closely the study of these questions, and to review and approve, for conformity with the aforementioned principles, Postal Operations Council proposals relating to these questions;
- 6.21 to study, at the request of Congress, the Postal Operations Council or postal administrations, administrative, legislative and legal problems concerning the Union or the international postal service; it shall be for the Council of Administration to decide, in the above-mentioned fields, whether it is expedient to undertake the studies requested by postal administrations between Congresses;
- 6.22 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations in accordance with article 122;
- 6.23 to approve, within the framework of its competence, the recommendations of the Postal Operations Council for the adoption, if necessary, of regulations or of a new procedure until such time as Congress takes a decision in the matter;
- 6.24 to consider the annual report prepared by the Postal Operations Council and any proposals submitted by the Council;
- 6.25 to submit subjects for study to the Postal Operations Council for examination in accordance with article 104, paragraph 9.16;
- 6.26 to designate the country where the next Congress is to be held in the case provided for in article 101, paragraph 4;
- 6.27 to determine in due course and after consulting the Postal Operations Council, the number of Committees required to carry out the work of Congress and to specify their functions;
- 6.28 to designate, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:

- to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and
  - to sit on the restricted Committees of Congress;
- 6.29 to review and approve the draft Strategic Plan for presentation to Congress developed by the Postal Operations Council with the support of the International Bureau; to review and approve annual revisions of the Plan approved by Congress on the basis of recommendations from the Postal Operations Council, and to consult with the Postal Operations Council on the development and annual updating of the Plan.
- 7 At its first meeting, which shall be convened by the Chairman of Congress, the Council of Administration shall elect four Vice-Chairmen from among its members and draw up its Rules of Procedure.
- 8 On convocation by its Chairman, the Council of Administration shall meet in principle once a year, at Union headquarters.
- 9 The Chairman, the Vice-Chairmen and the Committee Chairmen of the Council of Administration and the Chairman of the Strategic Planning Working Party shall form the Management Committee. This Committee shall prepare and direct the work of each session of the Council of Administration. **It shall approve, on behalf of the Council of Administration, the annual report prepared by the International Bureau on the work of the Union and it shall take on any other task which the Council of Administration decides to assign to it or the need for which arises in the course of the strategic planning process.**
- 10 The representative of each of the members of the Council of Administration participating in its meetings, except for meetings which take place during Congress, shall be entitled to reimbursement of the cost of either an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means subject to the condition that the amount does not exceed the price of the economy class return ticket. The same entitlement shall be granted to each member of its Committees, Working Parties or other bodies when these meet outside Congress and the sessions of the Council.
- 11 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration on the agenda of which there are questions of interest to the body which he directs.
- 12 To ensure effective liaison between the work of the two bodies, the Postal Operations Council may designate representatives to attend Council of Administration meetings as observers.
- 13 The postal administration of the country in which the Council of Administration meets shall be invited to take part in the meetings in the capacity of observer, if that country is not a member of the Council of Administration.
- 14 The Council of Administration may invite any international body, any representative of an association or enterprise, or any qualified person whom it wishes to associate with its work to its meetings, without the right to vote. It may also invite, under the same conditions, one or more postal administrations of member countries concerned with questions on its agenda.
- 15 The members of the Council of Administration shall take an active part in its work. Member countries not belonging to the Council of Administration may, at their request, cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties when their experience or expertise justifies it. The participation of member countries not belonging to the Council of Administration shall be carried out without additional expense for the Union.

## Article 103

## Documentation on the activities of the Council of Administration

1 After each session, the Council of Administration shall inform the member countries of the Union and the Restricted Unions about its activities by sending them, *inter alia*, a summary record and its resolutions and decisions.

2 The Council of Administration shall make to Congress a comprehensive report on its work and send it to postal administrations at least two months before the opening of Congress.

## Article 104

## Composition, functioning and meetings of the Postal Operations Council

1 The Postal Operations Council shall consist of forty members who shall exercise their functions during the period between successive Congresses.

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing countries and sixteen seats for developed countries. At least **one third** of the members shall be renewed at each Congress.

3 The representative of each of the members of the Postal Operations Council shall be appointed by the postal administration of his country. This representative shall be a qualified official of the postal administration.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of **postal** administrations participating in the Postal Operations Council shall be borne by those administrations. However, the representative of each of the countries considered to be disadvantaged according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket.

5 At its first meeting, which shall be convened and opened by the Chairman of Congress, the Postal Operations Council shall choose from among its members a Chairman, a Vice-Chairman, the Committee Chairmen and the Chairman of the Strategic Planning Working Party.

6 The Postal Operations Council shall draw up its Rules of Procedure.

7 In principle, the Postal Operations Council shall meet every year at Union headquarters. The date and place of the meeting shall be fixed by its Chairman in agreement with the Chairman of the Council of Administration and the Director-General of the International Bureau.

8 The Chairman, the Vice-Chairman **and** the Committee Chairmen **of the Postal Operations Council** and the Chairman of the Strategic Planning Working Party shall form the Management Committee. This Committee shall prepare and direct the work of each meeting of the Postal Operations Council and take on all the tasks which the latter decides to assign to it or the need for which arises in the course of the strategic planning process.

- 9 The functions of the Postal Operations Council shall be the following:
- 9.1 to conduct the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to postal administrations of all member countries, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post rates, and the posting abroad of letter-post items), and to prepare information, opinions and recommendations for action on them;
  - 9.2 to revise **the Regulations** of the Union within six months following the end of the Congress unless the latter decides otherwise; in case of urgent necessity, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle;
  - 9.3 to coordinate practical measures for the development and improvement of international postal services;
  - 9.4 to take, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
  - 9.5 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations in accordance with article 122; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence;
  - 9.6 to examine, at the request of the postal administration of a member country, any proposal which that postal administration forwards to the International Bureau under article 121, to prepare observations on it and to instruct the International Bureau to annex these observations to the proposal before submitting it for approval to the postal administrations of member countries;
  - 9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the postal administrations, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter;
  - 9.8 to prepare and issue, in the form of recommendations to postal administrations, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set;
  - 9.9 to **examine** in consultation with and with the approval of the Council of Administration, the draft Strategic Plan **drawn up by the International Bureau** for consideration by Congress; to revise **each year** the Plan approved by Congress **with the assistance of the Strategic Planning Working Party** and of the International Bureau **as well as with the approval of the Council of Administration**;
  - 9.10 to approve those parts of the annual report on the work of the Union prepared by the International Bureau which concern the responsibilities and functions of the Postal Operations Council;
  - 9.11 to decide on the contacts to be established with postal administrations in order to carry out its functions;
  - 9.12 to study teaching and vocational training problems of interest to the new and developing countries;
  - 9.13 to take the necessary steps to study and publicize the experiments and progress made by certain countries in the technical, operational, economic and vocational training fields of interest to the postal services;

- 9.14 to study the present position and needs of the postal services in the new and developing countries and to prepare appropriate recommendations on ways and means of improving the postal services in those countries;
- 9.15 to take, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and in particular with the new and developing countries;
- 9.16 to examine any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any **postal** administration of a member country.

10 The members of the Postal Operations Council shall take an active part in its work. The postal administrations of member countries not belonging to the Postal Operations Council may, at their request, cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. Such postal administrations may also be requested to chair Working Parties where their expertise or experience justify it.

11 **On the basis of the UPU Strategic Plan adopted by Congress and, in particular the part relating to the strategies of the Permanent Bodies of the Union, the Postal Operations Council shall, at its first session after Congress, prepare a draft basic work programme, containing a number of tactics aimed at implementing strategies. This basic programme, which shall include a limited number of projects on topical subjects of common interest, shall be revised annually in the light of new realities and priorities, as well as of changes made to the Strategic Plan.**

12.....In order to ensure effective liaison between the work of the two bodies, the Council of Administration may designate representatives to attend Postal Operations Council meetings as observers.

13 The Postal Operations Council may invite the following to take part in its meetings without the right to vote:

- 13.1 any international body or any qualified person whom it wishes to associate with its work;
- 13.2 postal administrations of member countries not belonging to the Postal Operations Council;
- 13.3 any association or enterprise that it wishes to consult with respect to its work.

#### Article 105

##### Documentation on the activities of the Postal Operations Council

1 After each session, the Postal Operations Council shall inform the member countries of the Union and the Restricted Unions about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Postal Operations Council shall prepare for the Council of Administration an annual report on its work.

3 The Postal Operations Council shall prepare for Congress a comprehensive report on its work and send it to postal administrations of member countries at least two months before the opening of Congress.

## Article 106

### Rules of Procedure of Congresses

- 1 For the organization of its work and the conduct of its debates, Congress shall apply the Rules of Procedure of **Congresses**.
- 2 Each Congress may amend these Rules under the conditions laid down in the Rules of Procedure themselves.

## Article 107

### Working languages of the International Bureau

The working languages of the International Bureau shall be French and English.

## Article 108

### Languages used for documentation, for debates and for official correspondence

- 1 For the documentation of the Union, the French, English, Arabic and Spanish languages shall be used. The Chinese, German, Portuguese and Russian languages shall also be used provided that only the most important basic documentation is produced in these languages. Other languages may also be used on condition that the member countries which have made the request shall bear all of the costs involved.
- 2 The member country or countries which have requested a language other than the official language constitute a language **group**.
- 3 Documentation shall be published by the International Bureau in the official language and in the languages of the **duly** constituted language groups, either directly or through the intermediary of the regional offices of those groups in conformity with the procedures agreed with the International Bureau. Publication in the different languages shall be effected in accordance with a common standard.
- 4 Documentation published directly by the International Bureau shall, as far as possible, be distributed simultaneously in the different languages requested.
- 5 Correspondence between the postal administrations and the International Bureau and between the latter and outside entities may be exchanged in any language for which the International Bureau has available a translation service.
- 6 The costs of translation into any language, including those resulting from the application of paragraph 5, shall be borne by the language group which has asked for that language. **The member countries using the official language shall pay, in respect of the translation of non-official documents, a lump-sum contribution, the amount of which per contribution unit shall be the same as that borne by the member countries using the other International Bureau working language.** All other costs involved in the supply of documents shall be borne by the Union. The ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian shall be fixed by a Congress resolution.
- 7 The costs to be borne by a language group shall be divided among the members of that group in proportion to their contributions to the expenses of the Union. These costs may be divided among the members of the language group according to another system, provided that the countries concerned agree to it and inform the International Bureau of their decision through the intermediary of the spokesman of the group.

8 The International Bureau shall give effect to any change in the choice of language requested by a member country after a period which shall not exceed two years.

9 For the discussions at meetings of the Union's bodies, the French, English, Spanish and Russian languages shall be admissible, by means of a system of interpretation - with or without electronic equipment - the choice being left to the judgment of the organizers of the meeting after consultation with the Director-General of the International Bureau and the member countries concerned.

10 Other languages shall likewise be admissible for the discussions and meetings mentioned in paragraph 9.

11 Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 9, either by the system indicated in the same paragraph, when the necessary technical modifications can be made, or by individual interpreters.

12 The costs of the interpretation services shall be shared among the member countries using the same language in proportion to their contributions to the expenses of the Union. However, the costs of installing and maintaining the technical equipment shall be borne by the Union.

13 Postal administrations may come to an understanding about the language to be used for official correspondence in their relations with one another. In the absence of such an understanding the language to be used shall be French.

## Chapter II

### International Bureau

#### Article 109

#### Election of the Director-General and Deputy Director-General of the International Bureau

1 The Director-General and the Deputy Director-General of the International Bureau shall be elected by Congress for the period between two successive Congresses, the minimum duration of their term of office being five years. Their term of office shall be renewable once only. Unless Congress decides otherwise, the date on which they take up their duties shall be fixed at 1 January of the year following that in which Congress is held.

2 At least seven months before the opening of Congress, the Director-General of the International Bureau shall send a memorandum to the Governments of member countries inviting them to submit their applications, if any, for the posts of Director-General and Deputy Director-General and indicating at the same time whether the Director-General and Deputy Director-General in office are interested in a renewal of their initial term of office. The applications, accompanied by a curriculum vitae, must reach the International Bureau at least two months before the opening of Congress. The candidates must be nationals of the member countries which put them forward. The International Bureau shall prepare the election documents for Congress. The election of the Director-General and that of the Deputy Director-General shall take place by secret ballot, the first election being for the post of Director-General.

3 If the post of Director-General falls vacant, the Deputy Director-General shall take over the functions of Director-General until the expiry of the latter's term of office; he shall be eligible for election to that post and shall automatically be accepted as a candidate, provided that his